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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,039	05/05/2004	Paul Fredrick Luther Weindorf	10541-1998	7760

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PO BOX 10395  
CHICAGO, IL 60610

EXAMINER

SHAPIRO, LEONID

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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12/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/840,039

Applicant(s)

LUTHER WEINDORF, PAUL  
FREDRICK

Examiner

Leonid Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17-28,30-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-15,17-28 and 30-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,3-15,17-28,30-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Masami (JP 2001-312249).

As to claim 1, Masami teaches a system to compensate for luminance degradation of a display (Problem to be solved), the system comprising:

a controller coupled to the display and configured to provide power to the display thereby controlling the display luminance (Drawing 1, item 16, paragraph 0005); and

a temperature sensor proximate the display (Drawing 1, item 14, paragraph 0005) and in electrical communication with the controller, wherein the controller is configured to vary the display luminance, based on a temperature measured by the temperature sensor wherein the controller is configured to decrease the display luminance as the temperature of the display increases through a first temperature range (Drawing 1, items 12,14,16, paragraph 0005, Solution).

As to claim 3,6-8,17,20-22,30,33-35 Masami teaches the controller is configured to decrease (increase) the display luminance as the temperature of the display is decrease (increase) (paragraph 0005, Solution).

As to claim 15, Masami teaches a method for compensating luminance degradation of a OLED display (Problem to be solved), the system comprising:

providing power to (Drawing 1, item 16, paragraph 0005);

varying luminance of the OLED display based on temperature of the OLED display and decreasing the display luminance as the temperature of the display increases through a first temperature range (Drawing 1, items 12,14,16, paragraph 0005, Solution).

As to claim 28, Masami teaches a system to compensate for luminance degradation of an OLED display (Problem to be solved), the system comprising:

a controller coupled to the display and configured to provide power to the OLED display thereby controlling the display luminance (Drawing 1, item 16, paragraph 0005); and

a temperature sensor proximate the OLED display (Drawing 1, item 14, paragraph 0005) and in electrical communication with the controller, wherein the controller is configured to vary the display luminance, based on a temperature measured by the temperature sensor wherein the controller decrease the display luminance as the temperature of the display increases through a first temperature range (Drawing 1, items 12,14,16, paragraph 0005, Solution).

As to claims 9-10,13-14,23-24,27,35-37,40-41 Masami teaches degradation function (Drawing 3) and the controller is configured to vary the display luminance based on a transfer function having a linear term (in the reference (paragraph 0009) is equivalent to reducing the brightness of an LED component at a fixed rate).

It generally considered to be within the ordinary skill in the art to adjust, vary, select or optimize the numerical parameters or values of any system absent of showing criticality of in a particular recited value. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention to reduce the luminance 50% of the full power luminance at between 80 and 90 degree. Such a limitation would have been considered as obvious variation on the matter of selected luminance which fails patentably distinguish over the prior art of Bowman et al. and Jates et al. In re Rose, 105 USPQ 237 (CCPA 1955).

As to claims 4,11,18,25,31,38 Masami teaches the controller is configured to vary the display luminance based on a transfer function having a linear term (in the reference (paragraph 0009) is equivalent to reducing the brightness of an LED component at a fixed rate) (Drawings 3-4, paragraphs 0006-0009).

As to claims 5,12,19,26,32,39 Masami teaches the controller is configured to vary the display luminance based on a transfer function having a linear term (in the reference (paragraph 0009) is equivalent to reducing the brightness of an LED component at a fixed rate) which will satisfy following relationship  $Lop = m \cdot Tk + b$ , where  $Lop$  is the display luminance,  $m$  is a gain,  $TK$  is the temperature of the display, and  $b$  is an offset (Drawings 3-4, paragraphs 0006-0009).

### ***Response to Arguments***

3. Applicant's arguments filed 09/24/07 have been fully considered but they are not persuasive:

On page 10, 1<sup>st</sup> paragraph of Remark, Applicant's stated that Masami does not teach decreasing the display luminance as the temperature of the display increases as recited in independent claims 1, 15, and 28. Masami merely teaches driving the LEDs at full luminance until the first temperature threshold is reached, then decreasing the driving signal over time at a constant rate until the second lower temperature threshold is reached. As such, Masami does not teach the present invention according to independent claims 1, 15, and 28. However, Masami teaches the controller is configured to vary the display luminance, based on a temperature measured by the temperature sensor wherein the controller is configured to decrease the display luminance as the temperature of the display increases through a first temperature range (Drawing 1, items 12,14,16, paragraph 0005, Solution) and Applicant's admitted that on page 9, last paragraph of Remark: Applicant submits that Masami reduces the driver signal at a fixed rate with respect to time".

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Telephone Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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11.27.07

A handwritten signature in black ink, appearing to read 'R. Ruerpe', with a stylized, cursive script.

RICHARD RUERPE  
SUPERVISORY PATENT EXAMINER  
TECHNICAL CENTER 2300